

AMENDED IN SENATE APRIL 21, 2003

SENATE BILL

No. 660

Introduced by Senator Speier

February 21, 2003

An act to add Section 1798.855 to the Civil Code, and to add Section 68154 to the Government Code, relating to ~~courts~~ *personal records*.

LEGISLATIVE COUNSEL'S DIGEST

SB 660, as amended, Speier. ~~Court~~—*Personal records: confidentiality.*

(1) *Existing law prohibits specified entities from publicly posting or displaying, as defined, the social security number of any person.*

This bill would prohibit a title company from posting or displaying the social security number of any person on any public record. The bill would impose specified penalties for a violation of this provision.

(2) Existing law governing the management and preservation of trial court records provides that whatever format *is* used for preserving *or reproducing* court records shall be made *as* reasonably accessible to all members of the public for viewing and duplication ~~the same~~ *as would the paper records would be*. Existing case law recognizes a right of public access to court records in holding that court records are public records generally available to the public unless a specific exception or countervailing public policy makes specific records nonpublic.

This bill would require, notwithstanding any other provision of law, that a court record be kept in a confidential file if it contains the social security number of any person, the bank account numbers of any person, or information revealing the disposition of any deceased person's estate. *The bill would also require that any social security*

number contained within the file of a court record for a dissolution matter be kept in a confidential portion of that file.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1798.855 is added to the Civil Code,
2 immediately following Section 1798.85, to read:
3 1798.855. (a) A title company may not post or display the
4 social security number of any person on any public record.
5 (b) The penalty provisions imposed in Section 790.035 of the
6 Insurance Code shall apply to a violation of this section.
7 SEC. 2. Section 68154 is added to the Government Code, to
8 read:
9 68154. (a) Notwithstanding any other provision of law, a
10 court record that contains any of the following information shall
11 be kept in a confidential file:
12 ~~(a)~~
13 (1) The social security number of any person.
14 ~~(b)~~
15 (2) The bank account numbers of any person.
16 ~~(c)~~
17 (3) Information revealing the disposition of any deceased
18 person's estate in a probate proceeding.
19 (b) If an individual's social security number is part of the file
20 of a court record for a matter of dissolution, that number shall be
21 kept in a confidential portion of that file, but the remainder of that
22 file shall be open to public inspection.

